

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION)	MDL No. 2804
OPIATE LITIGATION)	
)	Case No. 17-md-02804
)	
THIS DOCUMENT RELATES TO:)	Judge Dan Aaron Polster
)	
ALL CASES)	

**Plaintiffs' Amended Motion to Approve
Co-Leads, Co-Liaisons, and Executive Committee**

At the request of Judge Polster, Plaintiffs submit this Amended Motion to Approve Co-Leads, Co-Liaisons, and Executive Committee in order to further describe the function of each of these groups.

The Executive Committee is made up of a significant number of lawyers reflective of the diversity of clients, causes of actions, and damages that exist in this litigation. This group of lawyers is tasked with the following roles on behalf of Plaintiffs: managing the litigation; overseeing discovery; hiring experts; engaging in resolution discussions; and preparing for and trying cases.

The Co-Leads are members of the Executive Committee chosen by the Executive Committee to serve in a leadership role. The Co-Leads will be charged with formulating, in consultation with the Executive Committee, and presenting positions on substantive and procedural issues during this litigation.

The Co-Liaison counsel are members of the Executive Committee and are charged with performing all of the tasks set forth in Section 10.221 of the Manual on Complex Litigation, Fourth Edition.

The Plaintiffs' Steering Committee will be composed of lawyers who also represent many of the diverse interests of the wide range and categories of clients that are part of this litigation. They will be tasked by the Executive Committee with specific roles regarding written discovery, ESI, taking depositions, reviewing documents, and preparing the case for trial. If it is determined that this litigation is to proceed on different tracks related to certain issues, the Steering Committee members will be assigned to subcommittees organized to address those different tracks.

As this litigation proceeds, Plaintiffs will be able to identify in more detail the roles of each of these individuals or groups, and, upon request of the Court, the Co-Leads will submit for the Court's approval a document that more fully describes the functions of the Co-Leads, the Executive Committee, the Co-Liaisons, and the Steering Committee, as set forth in section 10.222 of the Manual for Complex Litigation.

On December 18, 2017, a group of more than 150 Plaintiffs' counsel attended the organizational meeting at the Hilton Hotel in downtown Cleveland. The meeting took place after notice was duly given to all counsel of record in the cases subject to the conditional transfer order issued by the Judicial Panel on Multidistrict Litigation, to all counsel of record listed on the N.D. Ohio docket for this litigation, and to the AAJ Opioid Litigation Section Group membership.

During the meeting, a motion was made to approve a list of individuals to serve in leadership capacity on behalf of Plaintiffs in this MDL. The motion was seconded, and a voice vote was held. The result was an overwhelming consensus approving this list. In the voice vote, there were no objections raised.

In accordance with said vote, Plaintiffs now move this Honorable Court to approve the following individuals for leadership roles in this litigation. The individuals have an extensive breadth and depth of experience in MDLs and other complex litigation, and they represent the vast majority of Plaintiffs in this MDL.

Co-Leads:

Paul Hanly, Jr. is a founding member of Simmons Hanly Conroy LLC, an 80-attorney, 240-support staff, plaintiff law firm headquartered in Alton, Illinois, with offices in seven cities. A graduate of Cornell (B.A.), Cambridge (M.A.) and Georgetown (J.D.), and a former law clerk to a United States District Judge, Mr. Hanly has been involved in complex mass tort litigation for more than 35 years, during which time he has tried to verdict dozens of complex cases in federal and state courts around the country. Mr. Hanly and members of his firm have held court-appointed leadership posts (PEC and/or PSC) in 20 separate MDLs since 2003, including the *In re Gadolinium MDL* over which this Court presided between 2008 and 2013. Perhaps most significant for the present proceedings is the fact that Mr. Hanly and his firm effectively pioneered mass-scale opioid litigation, litigating to successful resolution in the years 2003-2007 more than 5,000 civil claims involving the addictive properties of OxyContin, while at the same time providing to the U.S. Department of Justice never-before-seen evidence that enabled DOJ to obtain a criminal conviction of the makers of OxyContin, including exacting a \$634 million criminal fine.

Paul T. Farrell Jr. is a partner in the law firm Greene, Ketchum, Farrell, Bailey & Tweel, LLP in Huntington, West Virginia. Mr. Farrell is an experienced trial lawyer in the field of medical negligence. He served as Liaison Counsel in the transvaginal mesh

MDL as well as trial counsel in a \$2 million dollar bellwether verdict in *In re C.R. Bard, Inc.*, 810 F.3d 913, 917 (4th Cir. 2016) which was followed by an \$18.5 million verdict in 4 consolidated cases in *Campbell v. Boston Sci. Corp.*, 2016 WL 5796906, at *19 (S.D.W. Va. Oct. 3, 2016) (No. 2:12-CV-08633) (appeal pending). Mr. Farrell is the Founding Co-Chair of the AAJ Opioids Section Litigation Group and co-chaired the first Continuing Legal Education program involving Opioid litigation. He is lead counsel of record in over 100 filed cases in federal courts on behalf of governmental entities in Alabama, Illinois, Indiana, Kentucky, Massachusetts, Mississippi, North Carolina, Ohio, Pennsylvania and West Virginia seeking to abate the opioid epidemic and brought some of the first cases in the country against the distributors of prescription opioids.

Joe Rice of Motley Rice LLC is recognized as a skillful and innovative negotiator of complex litigation settlements, having served as the lead negotiator in some of the largest civil actions our courts have seen in the last 20 years. He established his reputation through his involvement structuring some of the most significant resolutions of asbestos liabilities on behalf of those injured by asbestos-related products and for his central role in crafting the Master Settlement Agreement involving the tobacco industry. Joe also led the strategic mediations and/or resolutions on behalf of 56 families of 9/11 victims who opted out of the government-created September 11 Victim Compensation Fund. Since then, Joe has continued to work extensively in the area of complex mass torts litigation. He served as co-lead negotiator for the class action settlement in the BP Deepwater Horizon Oil Spill in the Gulf of Mexico, for which he continues to serve on the Plaintiffs' Steering Committee. He has also led negotiations on behalf of thousands of women in the transvaginal mesh litigation that has five MDLs pending in the state of

West Virginia. Most recently, Joe served as a member of the negotiating team in the d Volkswagen Diesel Emissions Fraud class action settlement, which is the largest auto-related consumer class action settlement in U.S. History. With the support of over 90 attorneys and 300 staff at Motley Rice LLC, Joe litigates in areas including medical drugs and devices, securities and consumer fraud, anti-terrorism, human rights, environmental, aviation and catastrophic injury.

Co-Liaisons:

Troy Rafferty is a partner in the law firm of Levin, Papantonio, Thomas, Mitchell, Rafferty and Proctor located in Pensacola, Florida. He specializes in litigating mass tort, pharmaceutical and major personal injury cases throughout the country. He has tried and litigated numerous pharmaceutical and mass tort cases. He has been appointed to leadership positions in several MDLs, including to be Co-Lead Counsel in the *In re: Gadolinium Based Contrast Action Litigation* (MDL No. 1909), the Plaintiffs' Steering Committee and as Co-Chair of the Plaintiffs' Discovery Committee in the *In re: Vioxx Products Liability Litigation* (MDL No. 1657), the Plaintiffs' Executive Committee in the *In re: Yamaha Motor Corp. Rhino ATV Products Liability Litigation* (MDL No. 2016), the Plaintiffs' Steering Committee in *In re: Zyprexa Products Liability Litigation* (MDL No. 1596), the Plaintiffs' Steering Committee in *In re: Fosamax (Alendronate Sodium) Products Liability Litigation (No.II)* (MDL No. 2243), the Plaintiffs' Steering Committee in *In re: Actos (Pioglitazone) Products Liability Litigation* (MDL No. 2299), the Plaintiffs' Steering Committee in *In res Fresenius Granuflo/Naturalyte Dialysate Products Liability Litigation* (MDL No. 2428), the Plaintiffs' Executive Committee in the *In re: Benicar*

Products Liability Litigation (MDL No. 2606), the Plaintiffs' Executive Committee in the *In re: Abilify Products Liability Litigation* (MDL No. 2734), and the Plaintiffs' Executive Committee in the *In re: Proton-Pump Inhibitor Litigation* (MDL No. 2789).

Steve Skikos is the founding partner of Skikos, Crawford, Skikos and Joseph, located in San Francisco, with offices in Cleveland and Orange County. The firm focuses on cases against the pharmaceutical industry, and Mr. Skikos has acted as co-lead counsel on national cases, most recently as Co-Lead Counsel appointment by the Honorable David A. Katz in the *In re: DePuy Orthopedics Inc. ASR Hip Implant Prods. Multidistrict Litigation*, MDL No. 2197 (N.D. Ohio) and the California Coordinated Proceeding *Reglan/Metoclopramide Cases Litigation*, JCCP No. 4631, which did not have an MDL. Mr. Skikos has also served before this Court on the Plaintiffs' Executive Committee and Plaintiffs' Steering Committee in *In re: Gadolinium Contrast Dyes Products Liability Litigation*, MDL No. 1909 (N.D. Ohio). Mr. Skikos has been court appointed liaison more than ten times in California Coordinated Proceedings as well as state-federal liaison counsel, including in the *In re: Yasmin and Yaz (Drospirenone) Marketing, Sales Practices and Products Liability Litigation*, MDL No. 2100 (S.D. Illinois).

Peter Weinberger is the managing partner of the firm of Spangenberg Shibley & Liber, LLP located in Cleveland, Ohio. The Spangenberg firm has had a long history of litigation against the pharmaceutical industry beginning with cases involving the drug thalidomide in the 60s and 70s, followed by cases involving the drugs Halcion, Albuterol, and many others. Mr. Weinberger specializes in product liability, medical malpractice, and catastrophic accidents. Mr. Weinberger was liaison counsel in the

Gadolinium Contrast Dyes Products Liability Litigation, MDL No. 1909 (N.D. Ohio), served on the executive committee, and managed the fee committee. He worked with the court and special master extensively in the settlement efforts that helped resolve more than 600 cases. Mr. Weinberger also served on the plaintiffs' steering committee in the Teflon Product Liability Litigation, MDL No. 1733, and was on the trial team that presented the class certification issues at trial. Most recently, Mr. Weinberger served on the plaintiffs' executive committee in Benicar (Olmesartan) Products Liability Litigation, MDL No. 2606. In addition to his MDL experience, Mr. Weinberger has been recognized for his success as a trial lawyer, having been selected as a fellow in the American College of Trial Lawyers and the International Society of Barristers. He was recently named by "Super Lawyers" publication as one of the Top 10 lawyers in the State of Ohio for 2018.

Plaintiffs' Executive Committee:

Elizabeth Cabraser is a founder of Lief Cabraser Heimann & Bernstein, LLP, a 75+ attorney firm that represents plaintiffs nationwide from its San Francisco, Nashville, and New York offices. Lief Cabraser represents city, county, and third party payor Opioid plaintiffs. Ms. Cabraser has over 39 years' experience in pharmaceutical and medical device, product liability, financial and consumer fraud, mass tort, RICO, and human rights litigation in federal and state courts. Since 1980, she has served in court-appointed leadership roles in scores of MDLs and state coordinated proceedings, including, recently, the historic prosecutions and settlements of the *Deepwater Horizon* (MDL No. 2179; Barbier, J.) (PSC/Class Counsel) and *Volkswagen "Clean Diesel"* (MDL

No. 2672; Breyer, J.) (Lead Counsel/Class Counsel) cases, now both in settlement administration mode, each generating \$15+ billion for class members. Ms. Cabraser speaks and writes extensively on multidistrict litigation and class action issues (most recent publication, “The Participatory Class Action”, 92 NYU L. Rev. 846, October 2017) and on the advancement of women in the profession, and teaches complex litigation and class action law at Berkeley and Columbia Law Schools. Ms. Cabraser served on the Advisory Committee on Civil Rules (2010-2017), serves on the Executive Committee of the Council of the American Law Institute, and is a Fellow of the American Academy of Arts and Sciences. She has been named repeatedly as one of American Lawyer’s 100 Most Influential Lawyers in America and to the Lawdragon 500, and as a SuperLawyer in multiple fields. In 2010, the ABA Commission on Women in the Profession honored Elizabeth with its Margaret Brent Women Lawyers of Achievement Award, regarded by many as the highest honor in the legal profession for women lawyers. She was selected by Law360 as a 2016 MVP for Class Action Law, in February 2017 was named Benchmark Litigation’s “Plaintiff Attorney of the Year”, and in September 2017 received the National Law Journal’s “Lifetime Achievement” award. Lief Cabraser commits its human and financial resources to this compelling litigation; our opioids team includes partners Paulina do Amaral, Mark Chalos, Lexi Hazam, Jason Lichtman, and a dedicated attorney and paralegal crew.

Jennifer Fountain Connolly is a Partner at Hagens Berman Sobol Shapiro LLP and runs its Washington, D.C. office. In 2014, Hagens Berman filed one of the earliest opioid marketing cases on behalf of the Orange County, California District Attorney’s office. Since that time, Ms. Connolly has managed the day-to-day aspects of all of

Hagens Berman's opioid-related litigation, including cases filed on behalf of the states of Mississippi (filed in 2015), Ohio (filed 2017), and the City of Seattle, as well as and several other states and municipalities that have yet to be filed. She has been involved in major pharmaceutical litigation for the past fifteen (15) years, having key responsibilities in some of the firm's largest and most complex cases. Ms. Connolly helped develop and then had a significant role in litigation against McKesson Corporation alleging the company engaged in a scheme that raised the prices of more than 400 brand-name prescription drugs, resulting in a \$350 million settlement on the eve of trial. She then had a key role in subsequent cases against McKesson brought by a class of municipalities (\$82 million settlement) and numerous state attorneys general. Ms. Connolly was also a key member of the Hagens Berman-led team that successfully tried the Average Wholesale Price litigation against four pharmaceutical company defendants, obtaining a verdict that was subsequently affirmed in all respects by the First Circuit Court of Appeals. Ultimately, the court approved a total of \$338 million in settlements.

Jayne Conroy is a founding member of Simmons Hanly Conroy LLC. Ms. Conroy is a graduate of Dartmouth College and the New England School of Law, and, along with her partner Paul Hanly, has been litigating complex mass tort cases for some 30 years. Ms. Conroy has held court-appointed leadership posts (PEC and PSC) in nearly 20 MDLs since 2004, and is routinely sought out for her extensive, real-world MDL discovery, trial and resolution experience, including as the keynote speaker at the Emory University Law School symposium on MDL proceedings in 2016 and as a panelist/member in over a dozen other symposia and conferences on that subject. Ms.

Conroy was appointed and successfully served as a member of this Court's PSC in *In re Gadolinium* and, together with Mr. Hanly, successfully litigated private civil litigation involving OxyContin as well as assisting the U.S. Department of Justice in its prosecution of the makers of OxyContin.

Erin Dickinson is a founding partner of Crueger Dickinson LLC, a law firm focused on complex litigation located in Milwaukee, Wisconsin. Ms. Dickinson currently represents over seventy counties, including in Wisconsin, Iowa, Indiana, and Minnesota, against the pharmaceutical manufacturers of prescription opioids. In addition, Ms. Dickinson maintains a national class action practice and has served as co-lead counsel in cases around the United States, most recently obtaining a unanimous jury verdict on behalf of 7000 class members in the Northern District of Ohio. See *Jammal, et. al., v. American Family Insurance Group, et al.*, No. 1:13- CV-437 (N.D. of Ohio 2017).

Michael J. Fuller is a senior partner and founding member of McHugh Fuller Law Group. Mr. Fuller has dedicated his career to the protection of people. Upon graduating from the University of Florida College of Law, he joined the Hillsborough County State Attorney's Office and spent several years protecting the residents of Tampa Bay as a prosecutor. From there, Mr. Fuller joined a national law firm that specialized in representing and protecting the elderly from abuse and neglect in nursing homes and assisted living facilities. In 2006, Mr. Fuller and James B. McHugh decided to start their own firm and, once again, dedicated their efforts to those who could not protect themselves, particularly those confined to health care institutions. Since 2006, Mr. Fuller has worked to put together an elite trial team consisting of experienced litigators and legal writers that can litigate and try complex medical cases against billion-

dollar national defendant corporations. Through the leadership of Mr. Fuller and Mr. McHugh, the attorneys at McHugh Fuller Law Group have amassed verdicts of over 300 million dollars on behalf of their clients and have successfully handled appeals before State Supreme Courts, Courts of Appeal, numerous Federal District Courts, the 4th, 5th, and 11th Circuit Courts of Appeal and the United States Supreme Court.

Paul J. Geller is a founding partner of Robbins Geller Rudman & Dowd LLP (“RGRD”), one of the largest firms in the country that limits its practice to the representation of plaintiffs in MDL, consumer fraud, and complex class action litigation. Geller and his firm have obtained record-breaking settlements and trial verdicts in some of the country’s largest and most complex cases, including *In re Volkswagen “Clean Diesel” Mktg., Sales Practices, & Prods. Liab. Litig.*, MDL No. 2672 (N.D. Cal.), where he served on the Plaintiffs’ Steering Committee and helped obtain, along with the Department of Justice, aggregate settlements of \$17 billion (the *largest* ever consumer class action settlement) and *Jaffe v. Household Int’l, Inc.*, No. 1:02-cv-5893 (N.D. Ill.), where RGRD served as sole lead counsel and secured \$1.575 billion for its clients after 14 years of litigation, including a trial and appeal (the *largest* ever post-trial securities class action settlement). Geller has also had success in this District, personally negotiating the settlement in *Gemelas v. The Dannon Co., Inc.*, No. 1:08-cv-236 (N.D. Ohio), where RGRD served as co-lead counsel and secured \$45 million for consumers (at the time the *largest* deceptive food label settlement). Most recently, Geller was appointed as co-lead counsel *In re EpiPen (Epinephrine Injection, USP) Mktg., Sales Practices & Antitrust Litig.*, No. 2785 (D. Kan.), a nationwide MDL alleging pharmaceutical company Mylan N.V. and others engaged in anticompetitive conduct in

the marketing of the EpiPen Auto-Injector device. Indeed, of particular relevance here, Geller and his firm have served as lead counsel and obtained numerous significant recoveries in cases brought against drug manufacturers and distributors, including Pfizer (\$400 million recovery), Cardinal Health (\$600 million recovery), Pharmacia Corporation (\$164 million recovery), and Wyeth (\$67.5 million recovery). Moreover, Geller has a long history of representing governmental entities in a variety of cases and is currently representing large counties and municipalities in Arizona, Florida, Maryland and Michigan in connection with the opioid epidemic. Geller serves on the Advisory Board of The Institute for Complex Litigation and Mass Claims at Emory University School of Law (“Emory Institute”), and frequently lectures on MDL and class action issues at judicial seminars, bar conferences, and academic programs, such as The Duke Law Center for Judicial Studies’ Class Action Settlement Conference and the Emory Institute’s Complex Settlements Conference co-sponsored by the Federal Judicial Center and the JPML.

Mark Lanier. Having spent over five years at defense firm Fulbright & Jaworski, in 1990, Mark Lanier founded the Lanier Law Firm. The firm has grown to employ over 60 lawyers with offices in New York, Oklahoma City, Houston, and Los Angeles. Mr. Lanier has earned international recognition as a trial lawyer in the United States, with verdicts exceeding \$13 billion. Lanier has been appointed to leadership in MDLs across the nation, including co-lead counsel in the currently pending Pinnacle hip litigation. As the lead trial lawyer in the Pinnacle MDL, Lanier has tried all four bellwether trials, resulting in verdicts totaling more than \$1.75 billion. Mr. Lanier tried the Actos MDL and followed on the \$9 billion-dollar verdict working to negotiate the global settlement of the

cases in federal court, as well as the consolidated state court proceedings in Illinois and California. Prior to 2014, Lanier repeatedly tried the Vioxx cases against Merck, obtaining over \$250 million in verdicts. Mr. Lanier's multiple trial verdicts put pressure on Merck to fund a national settlement in the amount of \$4.85 billion. His broad experience has afforded him the opportunity to work cooperatively with many of the other leading pharmaceutical trial lawyers across the country, many of whom are involved in this litigation. The firm's Vioxx litigation included representation of multiple attorney general offices across the country, including a current action on behalf of the Attorney General of Utah. Among Lanier's clients in the opioid litigation, are several of the largest counties in the United States, including the counties encompassing the cities of Dallas, Ft. Worth, and Austin.

Burton LeBlanc is a shareholder with the national law firm of Baron & Budd, P.C. Mr. LeBlanc's extensive courtroom accomplishments paved the way for his recognition as one of the top 75 plaintiff's attorneys in the United States by *The American Lawyer*. Mr. LeBlanc is a past president of the American Association for Justice (AAJ), the largest trial bar in the world. As a Founding Chair of the AAJ Opioids Section Litigation Group, he organized and chaired the first Continuing Legal Education program involving Opioid litigation. He also is counsel of record in over 100 filed cases in federal courts on behalf of governmental entities seeking to abate the opioid epidemic. Mr. LeBlanc has a proven track record, having successfully represented over 15 state Attorneys General, as well as hundreds of cities and counties. He was part of the legal team that secured a \$177 million settlement for seven states' Attorneys General in the Avandia litigation. Mr. LeBlanc's federal appointments include serving on

the Plaintiffs' Steering Committee in *In re: Fresenius Granuflo/Naturalyte Dialysate Products Liability Litigation*, MDL 1:13-md-2428 (U.S.D.C. D. Mass.); the Committee of Unsecured Asbestos Creditors in *In Re Pittsburgh-Corning Corp. Bankruptcy*, No. 00-22876-JKF (U.S.D.C. Bankr. D. W.D. Pa.); and, the Asbestos Claimants Creditor Committees in *In Re Babcock & Wilcox Bankruptcy*, No. 00-10992-B (U.S.D.C. Bankr. D. E.D. La.), and *In Re Rockwool Manufacturing Co. Bankruptcy*, No. 96-08295-TBB-11 (U.S.D.C. Bankr. D. N.D. Ala.).

Peter J. Mougey is a partner and head of the Securities & Business Litigation Department with Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA. Mr. Mougey has 20 years of experience successfully litigating complex, high-profile cases including financial fraud, corporate misconduct, business torts, and securities fraud. He has represented hundreds of governmental entities, including cities, counties, pension plans, public utilities, and hospitals in addition to more than 2,500 individual victims of financial fraud. Mr. Mougey has both an undergraduate degree in finance and an MBA with extensive experience in financial and mathematical modeling and quantitative analyses in support of complex ERISA, antitrust, securities, and commercial litigation. He has taken dozens of cases to verdict in various forums. He is rated AV Preeminent, recognized as one of Florida's top 100 trial lawyers, a Florida Super Lawyer, Florida Trends Legal Elite, and the former President of the national securities bar association. In addition, Mr. Mougey has served as counsel in a number of both class and derivative actions. He is routinely asked to lecture on all aspects of his complex litigation practice and regularly quoted in the national press. In

addition, Mr. Mougey consults on various cases for governmental agencies and regulators.

Ellen Relkin is of counsel to Weitz & Luxenberg, P.C. in New York City and Cherry Hill, New Jersey. She is designated by the New Jersey Supreme Court as a Certified Civil Trial Attorney. She has been elected as a “Super Lawyer” of New Jersey and New York and as a Best Lawyers honoree. She is an elected member of the American Law Institute and currently serves as the President of the Pound Civil Justice Institute. She co-chairs the MDL Roundtable of the Emory Law School Institute for Complex Litigation and Claims. She is licensed to practice in NY, NJ, PA and the District of Columbia and focuses her practice on pharmaceutical and medical device litigation. Ms. Relkin was appointed by the Honorable David Katz as co-lead counsel in the DePuy *In Re: DePuy Orthopaedics, ASR Hip Implant Products Liability Litigation* in the Northern District of Ohio in 2010. In that capacity she played a major role in negotiating the \$2.5 billion settlement for 8,000 victims of the failed hip implant. She previously had been appointed by Judge Katz to the Executive Committee of the *Ortho Evra Products Liability Litigation* MDL No. 1742. Ms. Relkin was most recently appointed as co-lead counsel in the MDL 2776, *In Re: Farxiga Products Liability Litigation* in the SDNY. She was also appointed as State Liaison Counsel and to the Plaintiffs’ Executive Committee (PEC) in the *In Re: Stryker LFIT V 40 Femora Head Products Liability MDL 2768* and in the parallel NJ state court litigation as both Lead and Liaison counsel in the New Jersey Multi-County Litigation 624. Ms. Relkin serves on the PEC *In Re: Invokana Products Liability Litigation*, USDC, D.NJ. She also was appointed to the Plaintiffs’ Steering Committee in *In Re: Xarelto Products Liability*

Litigation, USDC, E.D. La by Judge Eldon Fallon. Ms. Relkin has served since 2012 as court-appointed lead counsel in the New Jersey *In Re: Stryker Rejuvenate Hip Litigation*. In that capacity she was a key member of the negotiating team for a settlement compensating 3,000 plaintiffs for an amount in excess of one and a half billion dollars.

Lynn Sarko. Since 1991, Lynn has led Keller Rohrback's diverse and accomplished Complex Litigation Group. Lynn is a nationally recognized leader in complex litigation, having been selected by federal courts nationwide to serve in key leadership roles in a wide variety of cutting-edge cases, including the *In re Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*, the *In re EpiPen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation*, and other consumer cases involving drug pricing, and class actions seeking to protect healthcare workers against wage and pension plan irregularities, to name a few. Lynn and a team of lawyers at Keller Rohrback regularly represent state and local governmental entities in the West, including numerous cities and counties that have brought suit against opioid manufacturers and other defendants responsible for the opioid epidemic. Current opioid clients include, among others, the City of Tacoma, and King, Pierce and Skagit Counties in Washington whose population of over 3 million people has experienced the devastating effects of the opioid epidemic. Lynn was honored to receive the Trial Lawyers for Public Justice Trial Lawyer of the Year Award for his work on the *Exxon Valdez Oil Spill* trial team, and he was a member of the legal team nominated for the 2016 Nobel Peace Prize for seeking enforcement of the Nuclear Non-Proliferation Treaty on behalf of the Republic of the Marshall Islands. Prior to

joining Keller Rohrback, Lynn was an Assistant United States Attorney for the District of Columbia, Criminal Division, an associate at the Washington, D.C. office of Arnold & Porter, and law clerk to the Honorable Jerome Farris, United States Court of Appeals for the Ninth Circuit, in Seattle.

Chris Seeger. Mr. Seeger is a founding member of Seeger Weiss LLP, one of the nation's leading plaintiffs' mass tort and class action firms. Mr. Seeger and his firm have been appointed to lead, co-lead, or steering committee positions in many of the most complex and impactful MDL and class litigations nationwide, securing key jury verdicts and negotiating innovative, effective settlements valued at tens of billions of dollars for individuals, municipalities, and private purchasers. Most recently, as Co-Lead Counsel representing approximately 20,000 retired NFL players in groundbreaking litigation against the NFL concerning concussion injuries, Mr. Seeger led negotiations resulting in a settlement, including an uncapped fund valued at approximately \$1 billion. Mr. Seeger also was a member of the team of lawyers that negotiated settlements valued at more than \$21 billion in the Volkswagen "Clean Diesel" litigation, and helped secure multi-billion settlements in the Vioxx and Chinese-Manufactured Drywall MDLs. Mr. Seeger's skill and commitment have earned him the respect of his colleagues, opposing counsel, and the judiciary across the country and Mr. Seeger frequently presents at conferences and panels with members of the bar and bench on ways to continue to innovate within and improve MDL and complex litigation to serve the interests of justice.

Hunter J. Shkolnik concentrates his area of practice to the trial of significant personal injury cases primarily in the area of drug, medical device, automobile, heavy

truck and aviation related product liability actions. He leads the discovery and trial teams of various mass tort pharmaceutical and medical device litigations for the firm. He is also active in managing national litigation and currently serving as a Lead-counsel, Executive Committee Member, Liaison Counsel or other court appointed representative on Plaintiff Steering Committees in various drug and other mass torts. Hunter was Co-lead Counsel in *In re Fleet Phosphosoda Litigation* and *In re Bayer Healthcare LLC and Merial Limited Flea Control Products Marking and Sales Practices Litigation* before this Court.

Linda Singer chairs the Public Client practice at Motley Rice LLC, where she exclusively represents state attorneys general and city and county governments in high-impact, high-stakes litigation and investigations. Previously, she served as Attorney General of the District of Columbia, where she developed and expanded litigation aimed at protecting children, consumers, tenants and victims of domestic violence and gun violence while overseeing a staff of more than 350 lawyers in one of the nation's largest attorney general's offices. Since leaving government, Linda has represented clients in numerous consumer protection and financial and health care fraud lawsuits that have resulted in significant settlements and injunctive relief, including more than \$1 billion for Arizona and Nevada in mortgage-related fraud litigation that caused a wave of foreclosures in those states. Ms. Singer serves as counsel to the first two governments to have filed cases against pharmaceutical companies that make and market opioids—Santa Clara County and the City of Chicago—in 2014. She also represents New Hampshire, South Carolina, Alaska, and Kentucky, as well as a number of other cities and counties in similar litigation. She also represents Hawai'i and the U.S. Virgin Islands

in litigation alleging consumer fraud and other violations related to the deceptive marketing of Takata airbags, which prompted the largest auto-related recall in U.S. history. She previously represented the U.S. Virgin Islands in enforcement litigation against an oil company that abruptly shut down, alleging it failed to fulfill its obligation to operate a refinery in St. Croix as promised in exchange for significant tax breaks. The resulting settlement is valued at more than \$750 million in revenue and environmental cleanup. Pro bono work has also been a major part of Ms. Singer's practice. She has represented individuals and public clients in cases aimed at preventing gun violence and safeguarding the rights of immigrants, and served on several nonprofit boards. Linda served from 1994 through 2006 as Executive Director of the Appleseed Foundation, a network of public interest law centers in the U.S. and Mexico.

Roland Tellis manages Baron & Budd, P.C.'s Los Angeles Office. His practice focuses on complex, high-profile litigation, including consumer class actions, financial fraud, business torts, corporate misconduct and securities fraud cases. Mr. Tellis has more than twenty years of experience in complex, high-profile litigation helping recover more than \$17 billion dollars for his clients. Mr. Tellis currently holds leadership roles in numerous high profile, complex MDLs, including *In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*, *In re: Takata Airbag Products Liability Litigation*, and *In re: Wells Fargo Collateral Protection Insurance Litigation*. Prior to joining Baron & Budd, Mr. Tellis practiced with the international law firms of Bingham McCutchen LLP and Milbank, Tweed, Hadley & McCloy LLP, where he litigated complex cases on behalf of corporate defendants and tried several multi-million dollar cases to verdict. Mr. Tellis has been named among the *Best Lawyers In*

America every year since 2014 and a *Super Lawyer* every year since 2006. He was elected to serve on the Board of Governors of the Association of Business Trial Lawyers and was appointed to serve as a Lawyer Representative to the Ninth Circuit Judicial Conference. In 2005, Mr. Tellis received commendation from the U.S. Department of Justice and the Federal Bureau of Investigation for his assistance in a successful parallel prosecution of a \$120 million Ponzi scheme perpetrated by foreign currency traders.

Plaintiffs' Steering Committee

Plaintiffs respectfully request until January 9, 2018, to submit a motion with a list of individuals to serve on the Plaintiffs' Steering Committee. At the meeting of December 18, 2017, all counsel present who were interested in serving were asked to submit their names for review by the leadership proposed herein. It is contemplated that due to the complexity of this case the Plaintiffs' Steering Committee will be robust.

Furthermore, as in other MDL proceedings of this nature and due to the complexity and breadth of the work to be done, it may be necessary during this litigation to add additional individuals to leadership and to the steering committee and, if so, application will be made to the Court by leadership.

Respectfully submitted,

s/Peter H. Weinberger

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of December 2017, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF Systems.

s/Peter H. Weinberger

Peter H. Weinberger